

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ALI BAHAR,	:	Case No. C-1-01-798
	:	
Plaintiff,	:	J. Watson
	:	
vs.	:	
	:	
CITY OF CINCINNATI,	:	<u>PLAINTIFF'S UNOPPOSED MOTION</u>
	:	<u>TO EXTEND DEADLINE TO RESPOND</u>
	:	<u>TO DEFENDANT'S MOTION IN</u>
Defendant.	:	<u>LIMINE</u>
	:	

Defendant filed a Motion in Limine to Exclude Proposed Witness Testimony on February 3, 2004. On May 21, 2004, Judge Susan J. Dlott issued an order denying Defendant's motion without prejudice for resubmission at the appropriate time. The Court noted that in its Trial Procedures for Civil Cases, the deadline to file a motion in limine was ten business days before the commencement of trial and the response deadline was five business days before the commencement of trial.

On October 13, 2004, the matter was reassigned to Judge William O. Bertelsman for all further proceedings. A final pretrial conference was held before Judge Bertelsman on November 15, 2004. Trial was scheduled to commence on January 18, 2005. The Court ordered that motions in limine were to be filed on or before December 10, 2004; responses by December 20, 2004; and any replies by December 30, 2004.

Defendant resubmitted is Motion in Limine to Exclude Proposed Witness Testimony on December 10, 2004.

On December 20, 2004, the Parties received notice that the matter was transferred to the docket of Judge Michael H. Watson.

In light of the reassignment of the case, Plaintiff respectfully requests that the deadline to respond to Defendant's motion in limine be vacated and re-scheduled to comport with the new trial schedule once the matter is re-set for trial. Defendant does not oppose Plaintiff's motion.

Respectfully submitted,

/s/ Kelly Mulloy Myers
Randolph H. Freking (0009158)
Kelly Mulloy Myers (0065698)
Trial Attorneys for Plaintiff
FREKING & BETZ
215 East Ninth Street, Fifth Floor
Cincinnati, OH 45202
(513) 721-1975
Randy@frekingandbetz.com
KMyers@frekingandbetz.com

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2004, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system and copies will be mailed via U.S. mail to those parties who are not served via the Court's electronic filing system. Parties may access this filing through the Court's System.

/s/ Kelly Mulloy Myers